

REMARKS

1. Disposition of the claims

Claims 1-15 are pending.

As already mentioned, claims 1-7 are copied verbatim from Application Publication No. 2002/0055189, (enclosed for consideration) published May 9, 2002. Each claim's patentability is now being studied. Support for these claims has yet to be determined.

Along these lines, new claims 8-12 parallel those from Publication No. 2002/0055189. Support for each claim may be found, e.g., in the specification as filed.

It is believed that claims of the '189 publication would correspond to count(s) based on pending claims 1-12 of this application. Applicants are contemplating preparing a request for interference under Rule 604 to be submitted at a later date.

Each claim 1-12 was entered into application no. 09/514,245, filed February 28, 2000, and thus each claim is not barred by 35 U.S.C. § 135(b).

New claims 13-15 are copied verbatim from U.S. Pat. No. 6,573,081, issued June 3, 2003 (enclosed for consideration). Each claim's patentability is now being studied. Support for these claims has yet to be determined.

It is believed that claims of the '081 patent would correspond to count(s) based on pending claims 13-15 of this application. Applicants are contemplating preparing a request for interference to be submitted at a later date.

Each claim 13-15 was entered into the present application on June 3, 2004, one-year after the '081 patent issued, and thus each claim is not barred by 35 U.S.C. § 135(b).

Conclusion

An action on the merits is awaited. The examiner is invited to contact Sean A. Passino (45,943) at (202)295-4166 if any matters could be resolved by a telephone conference.


The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

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Enclosure: U.S. Pat. No. 6,573,081

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